

Ancillary Effects of Cannabis Use



Pursuant to Virginia Code Section 4.1-604.32, the Virginia Cannabis Control Authority ("CCA") has prepared this informational resource on the ancillary effects of marijuana consumption. The CCA does not endorse the recreational consumption or home cultivation of cannabis. The external links and references used in this document are provided as examples of resources for the public to consider in making informed decisions, and they are not endorsed by the CCA.

Adults 21 years and older in Virginia may now (1) possess up to one ounce of marijuana for personal consumption, (2) use marijuana in private residences if permitted by the homeowner, and (3) cultivate up to four cannabis plants per household. Although limited personal possession and use of cannabis are legal under Virginia law, an individual's choice to consume cannabis may impact the person's rights and privileges in a variety of contexts. This resource discusses possible adverse ancillary effects in the following areas:



EDUCATION



EMPLOYMENT



HOUSING



IMMIGRATION



FIREARMS



MILITARY SERVICE

Education

Many colleges and universities may still prohibit possession and use of cannabis on campus. Students using or possessing cannabis on a college campus may face disciplinary action, including suspension or expulsion.

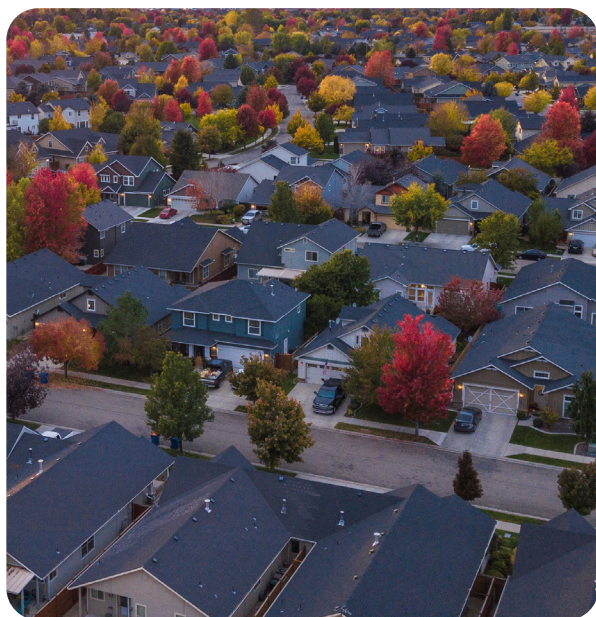


Employment

Individual workplaces and employers may still prohibit cannabis use by their employees and enforce drug testing policies that identify cannabis users. Jobs that involve public safety or the operation of vehicles and/or heavy machinery often exclude individuals who test positive for tetrahydrocannabinol (THC), the primary psychoactive component in marijuana. Virginia law protects some medicinal uses of cannabinoid oils against employment action, but this protection may not apply to all medical marijuana users.

Cannabis use can also impact workers' compensation claims. If a cannabis user is in a workplace accident, the employer may require a drug test. Testing positive for THC may affect the workers' compensation process, even if an individual is not intoxicated at the time of the incident.

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Housing

Property owners and landlords can prohibit cannabis consumption or cultivation in rental housing agreements. Tenants should check their lease agreements thoroughly before using or growing cannabis in a rental property. Even if cannabis is not mentioned specifically, no smoking clauses in rental agreements also apply to smoking cannabis products. Medical marijuana users also should check their lease before using cannabis in the rented property. Tenants who violate any lease agreements related to cannabis or smoking may face consequences from their landlord, including the possibility of eviction.

Individuals may risk the loss of federal housing benefits by using or possessing cannabis. The United States Department of Housing and Urban Development does not permit the use or possession of cannabis in federally assisted housing because marijuana remains illegal under federal law.

Firearms

Cannabis use can impact firearm ownership. To purchase a firearm from a federally licensed dealer, an individual must complete Form 4473 from the Bureau of Alcohol, Tobacco, and Firearms (ATF), which requires the person completing the form certify they are not a user of any Schedule I drugs, including marijuana. This also applies to medical marijuana users. Concealed carry permits also require this certification. Firearm owners are prohibited from selling ammunition or firearms to any person they know or "[have] reasonable cause to believe" uses cannabis.

Military Service

While medical marijuana may be legal in the Commonwealth, military members or veterans using military benefits may still face repercussions from the military for using cannabis. This is true even though cannabis products may often be prescribed for PTSD, a condition that disproportionately impacts veterans and active service members. While federal legislation has been proposed to address this issue, Congress has not yet passed such legislation and active-duty military and veterans would be well-advised to undertake research on this issue before choosing to use medical marijuana or other cannabis.

Immigration

Using or growing marijuana or being employed or otherwise involved in the marijuana industry can have significant repercussions for noncitizens even when the activity is legal under state law. Green card applications, permanent visas, and other methods of obtaining United States citizenship or residency can be denied due to marijuana use or marijuana-related employment. Consumption of marijuana or involvement in the marijuana industry can also result in a noncitizen resident of the United States being denied re-entry after visiting another country. Noncitizens should consult with an attorney before using marijuana or working in the marijuana industry.



Conclusion

Individuals should consider the potential ancillary effects of cannabis use before exercising their right to use consume cannabis under Virginia law. Cannabis users and potential users worried about any of the identified ancillary consequences of cannabis consumption, cultivation, and industry involvement, should consult an attorney for legal guidance on their specific circumstances.